



# JASPER COUNTY COUNCIL COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.  
358 3<sup>rd</sup> Avenue, Ridgeland, SC 29936  
Monday, January 6, 2025  
MINUTES

**Officials Present:** Chairman John Kemp, Vice Chairman Joey Rowell, L. Martin Sauls IV, Councilman Chris VanGeison, and Councilman Joseph Arzillo

**Staff Present:** County Administrator Andrew Fulghum, Clerk to Council Wanda Giles, County Attorney David Tedder, Kimberly Burgess, Lisa Wagner, Danny Lucas, Chief Russell Wells, and Videographer Jonathan Dunham.

## 1. Call to Order of Council Meeting by Chairman Sauls

Chairman Sauls called the meeting to order. The Report of Compliance with the Freedom of Information Act was read for the records as follows: *In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting and the meeting agenda were posted at least 24 hours prior to the meeting on the County Council Building at a publicly accessible place, on the county website, and a copy of the agenda was provided to the local news media and all person's or organizations requesting notification.*

## 2. Pledge of Allegiance and Invocation:

The Pledge to the Flag was recited and the Invocation was given by Councilman Rowell.

## 3. Swearing In Ceremonies:

- **Swearing In Ceremony for Councilman John Kemp**

Councilman John Kemp was given his Oath of Office by Judge Nancy Gutierrez as a Jasper County Councilmember.

- **Swearing In Ceremony for Councilman William Joseph Rowell III**

Councilman William Joseph Rowell III was given his Oath of Office by Judge Nancy Gutierrez as a Jasper County Councilmember.

- **Swearing In Ceremony for Councilman Joseph Arzillo**

Councilman Joseph Arzillo was given his Oath of Office by Judge Nancy Gutierrez as a Jasper County Councilmember.

- **Swearing In Ceremony for Clerk of Court R. Keith Horton**

Clerk of Court, R. Keith Horton, was given his Oath of Office by Judge Nancy Gutierrez as the Jasper County Clerk of Court.

- **Swearing In Ceremony for Sheriff Christopher Malphrus**

Sheriff Christopher Malphrus was given his Oath of Office by Judge Nancy Gutierrez as the Jasper County Sheriff.

- **Swearing In Ceremony for Coroner Jeremiah Vaigneur**

Coroner Jeremiah Vaigneur was given his Oath of Office by Judge Williams as the Jasper County Coroner.

#### **4. Election of Officers:**

- **Andrew Fulghum – Election of Chairman**

The meeting was turned over to Mr. Fulghum for the Election of the Chairman. Mr. Fulghum asked for nominations. Councilman Arzillo nominated Councilman Kemp for the position of Chairperson of the County Council. The Council unanimously approved this nomination. Chairman Kemp thanked the Council for placing him in this position of Chairman.

Mr. Fulghum turned the meeting was turned back over to Chairman Kemp.

- **Chairman Kemp – Election of Vice Chairman**

Chairman Kemp asked for nominations of the County Council's Vice Chairman. Councilman Chris VanGeison nominated Councilman Rowell for the position of Vice Chairperson of the County Council. The Council unanimously approved this nomination. Vice Chairman Rowell thanked the Chairman and Council for placing him in this position. Chairman Kemp welcomed Vice Chairman Rowell to that position.

#### **5. Approval of the Regular Agenda:**

**The motion was made to approve the agenda with the removal of Item # 12:** Councilman Rowell. The Council unanimously approved, and the motion passed.

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### **PRESENTATIONS**

**6. None**

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### **PROCLAMATIONS**

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**7. Chairman: Proclamation presented to Barbara B. Clark for 24 years of Jasper County Council Service.**

Ms. Clark was not present to receive this proclamation at this meeting.

**8. Chairman: Proclamation presented to Margaret Bostick for 36 years of Jasper County Clerk of Court Service.**

The presentation of the Proclamation was made to Margaret Bostick for her 36 years of dedicated service as the Jasper County Clerk of Court.

**9. Andrew Fulghum: Proclamation presented to Arthur Benjamin for 25 years of service for Jasper County as the Director of the Jasper County Detention Center.**

The presentation of the Proclamation was made to Arthur Benjamin for his 25 years of dedicated service to Jasper County as the Director of the Jasper County Detention Center. Senator Tim Scott's Office was present to present Mr. Benjamin with a flag. This flag they noted was flown over the U.S. Capital for Mr. Arthur Benjamin in celebration of his retirement from the Jasper County Detention Center.

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## RESOLUTIONS

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**10. Kimberly Burgess – Consideration of Resolution #R-2025-01 relating to the Business and Licensure of Peddlers and Hawkers.**

Ms. Burgess was present to review and address the request for the consideration of Resolution #R-2025-01 relating to the Business and Licensure of Peddlers and Hawkers. Ms. Burgess noted that this was a Resolution that was done each year. Chairman Kemp noted that the attachment that was with this document needed to be removed, as it did not pertain to the agenda item.

**Motion to approve:** Councilman Sauls

**Second:** Councilman Arzillo

**Vote:** Unanimous

The motion passed.

**11: Andrew Fulghum - Consideration of Resolution #R-2025-02 for a Special Services Contract with Lowcountry Council of Governments for Grant Administration.**

Mr. Fulghum was present to review and address the request for the consideration of Resolution #R-2025-02 for a Special Services Contract with Lowcountry Council of Governments for Grant Administration.

**Motion to approve:** Councilman Rowell

**Second:** Councilman Sauls

**Vote:** Unanimous

The motion passed.

**12. Andrew Fulghum - Consideration of Resolution #R-2025-03 for a Special Services Contract with Heather Rath Consulting.**

This item was deferred until the end of January.

**12A. Councilman VanGeison – Discussion / Consideration of Proposed Resolution #R-2025-04 supplementing and amending Resolution #R-2024-06 (County Bank Accounts).**

Chairman Kemp said he would like to see this item tabled until Friday. All Council Members were in favor, and it was tabled.

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### PUBLIC HEARINGS, ORDINANCES AND ACTION ITEMS

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**13. Lisa Wagner – Public Hearing and 2<sup>nd</sup> Reading of Ordinance #O-2025-01 to amend the Official Zoning Map of Jasper County so as to transfer a property located along Floyd Road, bearing Jasper County Tax Map Number 045-00-01-049, consisting of 3 acres from the Rural Preservation Zone to the Residential Zone on the Jasper County Official Zoning Map. (1<sup>st</sup> reading 12.02.2024)**

Ms. Wagner was present to review and address the request for the consideration of the 2<sup>nd</sup> Reading of Ordinance #O-2025-01 to amend the Official Zoning Map of Jasper County so as to transfer a property located along Floyd Road, bearing Jasper County Tax Map Number 045-00-01-049, consisting of 3 acres from the Rural Preservation Zone to the Residential Zone on the Jasper County Official Zoning Map.

Ms. Wagner noted that this was a staff-initiated request for a Zoning Map Amendment to have a property designated as Residential. The subject property consists of three (3) acres and is identified by TMS #045-00-01-049, located along Floyd Road near the Tillman area. The property is currently zoned Rural Preservation. The purpose for the re-zoning is to have the subject property zoned the same as the adjacent property in order to combine the properties without creating a parcel of land that would be split zoned. The adjacent property is zoned Residential.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation". The Rural Conservation areas seek to protect and promote the character of Jasper County that largely exists today outside of the municipalities. The adjacent parcels are zoned Rural Preservation and Residential. She mentioned that the adjacent land uses are residential and vacant property. The subject property is accessed by Floyd Road, which is a two-lane state-maintained highway classified as a local road. Ms. Wagner stated that the Planning Commission recommends approval of the request to have the property designated as Residential on the Jasper County Official Zoning Map.

The public hearing was called to order, and the following people spoke on this matter:

Mr. A Fletcher spoke on this matter and discussed his concerns.

Mr. Bentley spoke on the matter of Bellinger Hill and the traffic impact.

Councilman Sauls asked if the rezoning of the daughter's request was to build housing for themselves on the family property, and Ms. Wagner noted that this was the reason for the request.

The public hearing was closed.

**Motion to approve:** Councilman Rowell

**Second:** Councilman Kemp

**Vote:** Unanimous

The motion passed.

**14. Lisa Wagner – Public Hearing and 2<sup>nd</sup> Reading of Ordinance #O-2025-02 to adopt Planned Development District Zoning, Planned Development District Standards, and Conceptual Master Plan for a tract of land**

**consisting of approximately 223.70 acres, bearing Jasper County Tax Map Numbers 038-00-08-044, located along Bellinger Hill Road, and known as Daly Organics PDD. (1<sup>st</sup> reading 12.02.2024) (Daly Organics PDD)**

Ms. Wagner was present to review and address the request for the consideration of the 2<sup>nd</sup> Reading of Ordinance #O-2025-02 to adopt Planned Development District Zoning, Planned Development District Standards, and Conceptual Master Plan for a tract of land consisting of approximately 223.70 acres, bearing Jasper County Tax Map Numbers 038-00-08-044, located along Bellinger Hill Road, and known as Daly Organics PDD.

She noted that the Applicant is requesting approval of a Planned Development District (PDD) zoning designation for a commercial project, and if approved, will be known as Daly Organics PDD. Included with the Zoning Map Amendment application is a Concept Plan and PDD Standards. The project site consists of a 223.7 acre parcel located along Bellinger Hill Road and also has frontage on Bellinger Hill Run. The property is currently zoned Rural Preservation and is developed as an existing farm, that includes an organic composting and mulching operation. The applicant proposes to add a bagging facility, which will require an Industrial zoning designation or a PDD that will allow this type of land use.

In accordance with Article 8:1 of the Jasper County Zoning Ordinance, the intent of a PDD is to encourage flexibility in the development of land to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare. The PDD regulations are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree and are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment. In view of the substantial public advantage of "planned development," it is the intent of the PDD regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly in large undeveloped tracts. All PDD's shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition). According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Transition." The rural transition areas are located in southern Jasper County and will likely be under pressure to develop within the foreseeable future. Development proposals in existing communities, such as Levy-Limehouse, should be respectful and complement the scale and character of the area.

Ms. Wagner noted that the subject property is accessed by Bellinger Hill Road and Bellinger Hill Run. Bellinger Hill Road is a 2-lane state maintained road, classified as a limited local road. Bellinger Hill Run is a private dirt road. The Daly Organics Concept Plan illustrates the proposed land use, the general layout, and access point. A Master Plan will be submitted separately and will provide additional information regarding the proposed layout of the development.

She noted that the proposed PDD would establish the following:

- The main access point exists and is located on Bellinger Hill Road.
- Allowed land uses of rural preservation, general commercial and industrial.
- 166 acres is designated to remain Rural Preservation, 36 acres is designated as General Commercial, and 21 acres is designated as Industrial.

- A minimum of 10% open space based on overall commercial highlands will be provided.
- Stormwater Management – best management practices will be used in the development to ensure runoff leaving the site meets SC Department of Environmental Services Office of Ocean and Coastal Resource Management and Jasper County standards for water quality.
- The concept map shows the commercial areas are setback 400' + from Bellinger Hill Road.
- A landscape road-side buffer will be provided along Bellinger Hill as required by the Jasper County Zoning Ordinance.

Ms. Wagner mentioned that the Daly Organics PDD and Concept Plan meets all of the requirements for a PDD *Application and Concept Plan* as outlined in Article 8:1.7 of the Jasper County Zoning Ordinance. Hussey Gay Bell, engineering firm determined that the current use produces 40 trips a day, which is made up of 30 trucks/day (customers) and 10 cars/day (employees). The future conditions is predicted to produce 40 trucks/day (customers) and 20 cars/day (employees). The Daly Organic property is currently served by well and septic tank. Electric is provided by Palmetto Electric. Telecommunication and fiber are not currently available to serve the subject property. A zoning designation of PDD does not entitle an applicant or owner of the affected property a right to develop or engage in any land use or land disturbing activity, other than the rights in existence at the time of the Concept Plan approval. To engage in development or any land use or land disturbing activity, a Master Plan and subsequent Development Plan(s) must be approved for the areas to be developed. While the Concept Plan is very generalized, a Master Plan is a more refined document which will be reassessed by the Planning Commission at a future date. The Planning Commission recommends approval of the PDD designation and Concept Map.

Ms. Wagner noted that the Planning Commission also recommended that the PDD Standards limit the uses to only allow commercial and industrial uses that support the Daly Organic Farm, including the existing composting and mulching operation, and the proposed bagging facility.

The public hearing was called to order, and the following people spoke on this matter:

Herman West of Bellinger Hill Rd. discussed his concerns of this project.

Tillie Mae Harrington discussed her concerns along with the disapproval of this request.

Leroy Bentley discussed his concerns and noted this was not good for Bellinger Hill.

Ron Staton was present representing the developers on this request. He noted that this project had been explained to the Council and the Planning Commission endorsed it.

An unidentified person noted that they could hear the sawmill in this area.

Christy asked about the impact to the dirt road and where the facility would be located.

Quincy of the Levy area discussed the concerns he had on this matter and the traffic.

Vera of Bellinger Hill Road, discussed her traffic concerns regarding the daycare she owned.

The public hearing was closed.

**Motion to table until Daly Organics meetings with the Bellinger Hill Community people:** Councilman Rowell

**Second:** Councilman Sauls

**Vote:** Unanimous

The motion passed.

**15. David Tedder – Public Hearing Only of Ordinance #O-2025-03 Approving a Development Agreement for the Daly Organics Development Property consisting of approximately 223 acres, more or less, owned by Bellinger Hill Properties, LLC in the Bellinger Hill Area of Jasper County, South Carolina, Pursuant to the South Carolina Local Government Development Agreement Act and Article IV, Title 20 of the Code of Ordinances of Jasper county, Authorizing the Chairperson of the Jasper County Council to execute the Development Agreement, and Matters Related Thereto. (1<sup>st</sup> reading 12.02.2024) (Daly Organics DA)**

Mr. Tedder was present to for the public hearing of Ordinance #O-2025-03 Approving a Development Agreement for the Daly Organics Development Property consisting of approximately 223 acres, more or less, owned by Bellinger Hill Properties, LLC in the Bellinger Hill Area of Jasper County, South Carolina, Pursuant to the South Carolina Local Government Development Agreement Act and Article IV, Title 20 of the Code of Ordinances of Jasper county, Authorizing the Chairperson of the Jasper County Council to execute the Development Agreement, and Matters Related Thereto. This item was for public hearing only and no vote was taken. The public hearing was called to order and Ms. Harrington noted that they did not want this project. As there was no other public input, the public hearing was closed.

**16. Lisa Wagner – Public Hearing and 2<sup>nd</sup> Reading of Ordinance #O-2025-04 to Amend Article 2.1.1 of the Jasper County Land Development Regulations, *Exempt Subdivision*, limiting the number of parcels that can be subdivided from a single parcel of land when using the State’s exemption, to 4 individual parcels; to define an existing street and existing easement; Invoking application of the Pending Ordinance Doctrine; and other matters related thereto. (1<sup>st</sup> reading 12.02.2024)**

Ms. Wagner was present to review and address the request for the consideration of the 2<sup>nd</sup> Reading of Ordinance #O-2025-04 to Amend Article 2.1.1 of the Jasper County Land Development Regulations, *Exempt Subdivision*, limiting the number of parcels that can be subdivided from a single parcel of land when using the State’s exemption, to 4 individual parcels; to define an existing street and existing easement; Invoking application of the Pending Ordinance Doctrine; and other matters related thereto. Ms. Wagner reviewed her staff report on this item.

The public hearing was called to order, and an unidentified person asked how this would impact the County. There were no other public hearing comments, so the public hearing was closed.

**Motion to approve:** Councilman Rowell

**Second:** Councilman Arzillo

**Vote:** Unanimous

The motion passed.

**17. Wanda Giles - Consideration of Approval of a Candidate to be Appointed by the Jasper County Council to the Regional Housing Trust Oversight Board.**

Ms. Giles was present to review and address the request for the consideration of approval of a candidate to be appointed by the Jasper County Council to the Regional Housing Trust Oversight Board. This item was to be taken up at the next scheduled Council Meeting.

**18. Wanda Giles – Consideration of the proposed schedule of 2025 County Council Schedule Meeting Dates.**

Ms. Giles was present to review and address the request for consideration of the proposed schedule of 2025 County Council Schedule Meeting Dates. All changes as requested had been made to this proposed schedule she noted.

**Motion to approve the 2025 Council Meeting Schedule as proposed:** Councilman Sauls

**Second:** Councilman Rowell

**Vote:** Unanimous

The motion passed.

**19. Approval of Minutes of 08.27.24; 09.03.24; 09.05.24; 09.16.24; 09.19.24; 10.07.24; 10.21.24; 11.04.24 and 11.18.24**

**Motion to approve:** Councilman Rowel

**Second:** Councilman Sauls

**Vote:** Unanimous

The motion passed.

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**CITIZEN COMMENTS**

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**20. Open Floor to the Public per Ordinance 08-17** Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6:30PM start time on the Sign-In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes.

Mr. A. Fletcher was signed up to speak but had spoken earlier on his topic of concern, so he did not speak under this section of the agenda.

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**21. Administrator's Report:** Mr. Fulghum reviewed the information from his report. There were no Action Items requiring a vote from the Council in the Administrator's Report

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**22. Council Members Comments:** Councilmember Comments were given but there were no comments that required action.

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**23. Executive Session SECTION 30-4-70.**

**(a) A public body may hold a meeting closed to the public for one or more of the following reasons:**

**1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body – County Administrator Employment Agreement**



**(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Consulting Agreement with Margaret Bostick; Consulting Agreement with Arthur Benjamin**

**(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body – Prospect Update; Project Salmon**

**Motion to go into executive session: Councilman Sauls**

**Second: Councilman Rowell**

**Vote: Unanimous**

The motion passed.

#### **24: Return to Open Session**

**Motion to return to regular session: Councilman Sauls**

**Second: Councilman Rowell**

**Vote: Unanimous**

The motion passed.

##### **o 24.1 Action coming out of Executive Session**

**Motion to authorize the County Administrator to contract consulting services with our Arthur Benjamin to assist the Detention Center Administrator with the transition of responsibilities and duties in the Detention enter not to exceed a monthly amount of \$5260.80 for a period of time not to exceed 30 days: Councilman Sauls**

**Second: Councilman VanGeison**

**Vote: Unanimous**

**Motion to authorize the Clerk of Court to contract for Consulting Services with Margaret Bostick or such other person or persons with professional expertise to assist the Clerk of Court with the transition of responsibilities and duties in the Clerk of Court office not to exceed a monthly amount \$1920.00 dollars for a period of time not to exceed 30 days: Councilman Arzillo**

**Second: Councilman Sauls**

**Vote: Unanimous**

The motion passed.

**Motion to authorize the County Administrator to execute and deliver on behalf of Jasper County the Economic Development Closing Fund Grant in the amount of \$5,110,000.00 for the South Carolina Department of Commerce for the Economic Development Project designated as Project Salmon along with**

such other documents related thereto as may be necessary or desired to receive the funding offered:

Councilman VanGeison

**Second:** Councilman Rowell

**Vote:** Unanimous

The motion passed.

**Motion to authorize the County Administrator to execute and deliver on behalf of Jasper County the Economic Development Set Aside Grant in the amount of \$75,000 from the South Carolina Department of Commerce for S&P Produce Incorporated (Project Veggie) along with such other documents related thereto as may be necessary or desired to receive the funding offered:** Councilman Rowell

**Second:** Councilman Sauls

**Vote:** Unanimous

The motion passed.

For more information on this meeting please go to our YouTube Channel for the video go to

[https://www.youtube.com/channel/UCBmloqX05cKAsHm\\_ggXCJIA](https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA)

#### **Adjournment**

**Motion to adjourn:** Councilman Sauls

**Second:** Councilman Rowell

**Vote:** Unanimous

The motion passed and the meeting adjourned.

**Respectfully submitted:**



Wanda H. Giles  
Clerk to Council



John Kemp  
Chairman, Jasper County Council